

HOUSE BILL No. 1090

DIGEST OF INTRODUCED BILL

Citations Affected: IC 35-47-2.5.

Synopsis: Sale of handguns. Provides that a gun show vendor is a firearms dealer for purposes of the law concerning the sale of handguns. Makes it a Class A misdemeanor for a person to purchase more than one handgun during any 30 day period. Provides for certain exceptions.

Effective: July 1, 2007.

Orentlicher

January 8, 2007, read first time and referred to Committee on Public Policy.

C
o
p
y



First Regular Session 115th General Assembly (2007)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2006 Regular Session of the General Assembly.

HOUSE BILL No. 1090

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 35-47-2.5-1, AS AMENDED BY P.L.190-2006,
2 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2007]: Sec. 1. (a) This chapter does not apply to the following:

4 (1) Transactions between persons who are licensed as firearms
5 importers or collectors or firearms manufacturers or dealers under
6 18 U.S.C. 923.

7 (2) Purchases by or sales to a law enforcement officer or agent of
8 the United States, the state, or a county or local government.

9 (3) **Except as provided in section 12.5 of this chapter**, Indiana
10 residents licensed to carry handguns under IC 35-47-2-3.

11 (b) Notwithstanding any other provision of this chapter, the state
12 shall participate in the NICS if federal funds are available to assist the
13 state in participating in the NICS. If:

14 (1) the state participates in the NICS; and

15 (2) there is a conflict between:

16 (A) a provision of this chapter; and

17 (B) a procedure required under the NICS;

C
o
p
y



the procedure required under the NICS prevails over the conflicting provision of this chapter.

SECTION 2. IC 35-47-2.5-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 2. As used in this chapter, "dealer" includes **the following**:

(1) Any person licensed under 18 U.S.C. 923.

(2) **A gun show vendor.**

SECTION 3. IC 35-47-2.5-2.2 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: **Sec. 2.2. As used in this chapter, "gun show" means an event at which at least fifty (50) firearms are offered for sale, rent, exchange, or transfer.**

SECTION 4. IC 35-47-2.5-2.3 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: **Sec. 2.3. As used in this chapter, "gun show vendor" means a person who:**

(1) exhibits, sells, rents, exchanges, or transfers; or

(2) offers to sell, rent, exchange, or transfer;

at least one (1) firearm at a gun show.

SECTION 5. IC 35-47-2.5-12.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: **Sec. 12.5. (a) This section does not apply to the following:**

(1) A marshal.

(2) A sheriff.

(3) The commissioner of the department of correction or a person authorized by the commissioner in writing to carry firearms.

(4) A judicial officer.

(5) A law enforcement officer.

(6) An employee of the United States authorized to carry handguns.

(7) A person making a bulk purchase:

(A) at an estate sale; or

(B) of a handgun collection.

(8) A person replacing a handgun that has been stolen, rendered inoperative, or permanently lost, if the person has documented proof that the handgun has been stolen, rendered inoperative, or permanently lost.

(9) The purchase of a handgun that:

(A) is not designed to use fixed cartridges or fixed ammunition; or

C
o
p
y



1 **(B) was manufactured before January 1, 1899.**
2 **(10) A person who trades in a handgun at the same time that**
3 **the person makes a handgun purchase, if the person makes**
4 **not more than one (1) transaction involving a handgun trade**
5 **per day.**
6 **(11) A licensed firearms dealer.**
7 **(b) A person may not purchase more than one (1) handgun**
8 **during any thirty (30) day period.**
9 **(c) A person who knowingly or intentionally violates this section**
10 **commits unlawful purchase of a handgun, a Class A misdemeanor.**
11 **SECTION 6. [EFFECTIVE JULY 1, 2007] IC 35-47-2.5-12.5, as**
12 **added by this act, applies only to crimes committed after June 30,**
13 **2007.**

C
O
P
Y

